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United States Senate

WASHINGTON, DC 20510-4904

May 15, 2003

The Honorable
John D. Ashcroft
Attorney General of the United States
U.S. Department of Justice
10th Street and Constitution Avenue, N.W.
Washington, DC 20510

Dear Attorney General Ashcroft:

I write concerning reports indicating that ten suspects in the 2000 terrorist attack on the USS Cole in Yemen escaped from custody on April 11 of this year by simply smashing open a window or by climbing through a hole in the bathroom ceiling. It has been my understanding that the perpetrators of that attack, which killed 17 American sailors, including one from my home state of Wisconsin, have been linked to al-Qaida. Reports indicate that all ten escapees are still at large, and that indictments will be unsealed today in U.S. District Court in New York charging two of them with involvement in the attack.

Unfortunately, the information available to me about this matter comes from press reports rather than from the Administration. As a member of the Senate Judiciary Committee and the Foreign Relations Committee, I am deeply disturbed by these reports and am convinced that neither I nor my colleagues can adequately provide oversight and support to the fight against international terrorism without more complete information about such developments and sound analysis regarding what these events reveal about various governments' commitment, including the United States, to the global campaign against terrorism.

I request that the Department of Justice provide information, in the form of a classified briefing if necessary, detailing what is known thus far about the suspects, the circumstances surrounding their detention and escape, their current whereabouts and activities, the evidence of involvement against the other eight unindicted suspects and efforts underway to ensure that none of the suspects reach U.S. soil.

In addition, I request information about the extent of U.S. involvement in monitoring these detainees prior to their escape, and information about and the nature of the assurances, commitments, and cooperation that the U.S. had received from the Yemeni government regarding their commitment to prosecuting those responsible for the attack. What investigative and prosecutorial resources did the Administration make available to the Yemeni government? Given the importance of this issue for the fight against global terrorism and for the U.S.-Yemeni

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relationship, I request that this information be provided as soon as possible.

I thank you for your assistance and for your service to the country.

Sincerely


Russ Feingold
United States Senator